

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

MICHAEL SHANE STEPHENS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:07cv96LGJMR

HARRISON COUNTY, MISSISSIPPI;
SHERIFF GEORGE H. PAYNE, JR.;
AND UNKNOWN OFFICERS IN THEIR
INDIVIDUAL AND OFFICIAL CAPACITY

DEFENDANTS

STATE OF MISSISSIPPI

COUNTY OF HARRISON

AFFIDAVIT OF GENE DEDEAUX

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority in and for the County and State aforesaid, the within named, GENE DEDEAUX, who, after first being duly sworn by me on his oath, did depose and state the following:

1. My name is Gene Dedeaux, and I am over the age of twenty-one (21) years. I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
2. At the time of this February 5, 2004 incident I was a Deputy with the Harrison County Sheriff's Department.
3. On the evening of February 5, 2004, at approximately 21:54 hours. I observed a 1999 Red Mirage displaying Florida tag G14I1MN westbound on Hwy. I-10 changing lanes and not making a signal for other motorists.

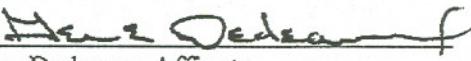
EXHIBIT

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4. I attempted to stop this vehicle at the 25 mile marker and when I turned on my blue lights and siren, the above vehicle failed to yield and stop.
5. I pursued the above vehicle westbound on Hwy. I-10 to the 19 mile marker, when Harrison County Deputy Lt. Tony Sauro turned on his blue lights while driving in front of the suspect. At this time the suspect vehicle tried to hit Lt. Sauro's patrol car and lost control of his vehicle and ran off the roadway to the right. The suspect vehicle took off again westbound on Hwy. I-10 and again almost struck Lt. Sauro's patrol car..
6. Harrison County Dispatch radioed the Hancock County Sheriff's Department for assistance in this pursuit. Hancock County Deputies put "stop sticks" out at the 2 mile marker on Hwy. I-10 westbound, where the suspect hit the "stop sticks", subsequently lost control of his vehicle and skidded off the edge of the road to the shoulder.
7. When Lt. Sauro and I stopped at the scene, we observed that a Hancock County patrol car had struck the left side of the suspect vehicle that we had been pursuing.
8. As the Hancock County patrol car that struck the suspect vehicle had a sign indicating it was a canine unit, Lt. Sauro and I decided to stay on the roadway and wait, as we were under the impression that the Hancock County Deputy had a police dog in the adjacent woods assisting in the search for the suspect.
9. After the Hancock County Deputies brought the suspect out of the woods, the suspect told me his name was Michael Shane Stephens with a date of birth November 7, 1966.

10. After taking custody of the suspect from the Hancock County Deputies, I transported Michael Shane Stephens to the Harrison County Adult Detention Center without incident.

I certify the above declaration is true and correct under penalty of perjury.


Gene Dedeaux- Affiant

Sworn to and subscribed before me on this the 21 day of April, 2008.


Laura Hoyt
Notary Public

My Commission Expires:

10-19-09

(SEAL)

